

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

07-CR-193-A

v.

NOTICE OF UNOPPOSED MOTION

VEDRAN ZAVISIC,

Defendant.

UNOPPOSED MOTION BY:

Phillips Lytle LLP, by Timothy W. Hoover and
Spencer L. Durland (Bar Admission Pending),
counsel for Defendant Vedran Zavisic.

DATE/TIME/HEARING:

Before The Honorable H. Kenneth Schroeder, Jr.,
United States Magistrate Judge, United States
District Court, Western District of New York,
United States Courthouse, 2 Niagara Square,
Buffalo, NY 14202, on the papers.

ATTACHED SUPPORTING PAPERS:

Memorandum, dated March 22, 2013;
and, certificate of service, dated March 22, 2013.

RELIEF REQUESTED:

Entry of an amended scheduling order extending
the date for the Government's response to
Mr. Zavisic's motions, scheduling a date for
Defendant's replies shortly before oral argument,
and re-setting the oral argument date.

**WAS CONSENT OF OPPOSING
COUNSEL SOUGHT?:**

Yes.

**WAS CONSENT OF OPPOSING
COUNSEL OBTAINED?:**

Yes.

PROPOSED ORDER PROVIDED?:

Yes – via electronic mail to
schroeder@nywd.uscourts.gov.

(Notice of motion continued on page ii . . .)

(. . . Notice of motion continued from page i.)

DATED:

Buffalo, New York, March 22, 2013

PHILLIPS LYTLE LLP

/s/Timothy W. Hoover

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

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07-CR-193-A

v.

VEDRAN ZAVISIC,

Defendant.

**MEMORANDUM IN SUPPORT OF
DEFENDANT'S UNOPPOSED
MOTION FOR ENTRY OF AN
AMENDED SCHEDULING ORDER**

Defendant Vedran Zavisic moves the Court to enter an amended scheduling order, with an additional two weeks allowed for the government's response to Defendant's motions that were filed today, for the reasons set forth below.

Pursuant to the Court's order at Docket #14, motions are presently due on March 22, 2013. Defendant filed his pre-trial motions, including a motion to dismiss the Indictment, on March 22, 2013.

In conferring with counsel regarding scheduling, counsel for the Government indicated that the government would request and need two additional weeks to submit its response to the motions, which are presently due on April 23, 2013. Defendant has given notice in his motions that he intends to reply to any opposition filed by the Government. If the Court is amenable to modifying the existing scheduling order, the current oral argument date of April 30, 2013 (at 10:30 a.m.) would need to be similarly moved out two weeks.

As outlined above, counsel for the government joins the motion and requests the entry of an amended scheduling order.

While Defendant has asserted, and continues to assert, his rights to a speedy trial, given the above, all parties consent to the exclusion of time for Speedy Trial Act purposes, from March 22, 2013, until the rescheduled oral argument in May 2013, as is reflected in the proposed order that is being provided to the Court. The proposed order includes a proposed due date for Defendant's replies in support of his motions, to be set for a date shortly in advance of the rescheduled oral argument date.

For all these reasons, we request that the Court grant the unopposed motion and enter an order accordingly.

DATED: Buffalo, New York
March 22, 2013

Respectfully submitted,

PHILLIPS LYTLE LLP

/s/Timothy W. Hoover

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CERTIFICATE OF SERVICE

VEDRAN ZAVISIC,

Defendant.

The undersigned certifies that a copy of the foregoing was served on the following, by the means indicated, on March 22, 2013:

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